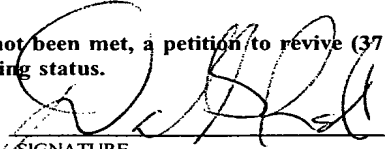


JC03 Rec'd PCT/PTO 1 5 APR 2005

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|--|--|---|--|---|--|
| FORM PTO-1390<br>(REV. 1-2003)   |  | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE |  | ATTORNEY'S DOCKET NUMBER<br>460868.00020        |  |
| TRANSMITTAL LETTER TO THE UNITED STATES<br>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br>CONCERNING A FILING UNDER 35 U.S.C. 371   |  |   |  | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) |  |
|  |  |   |  | 10/531658                                       |  |
| INTERNATIONAL APPLICATION NO.<br>PCT/EP02/06077  |  | INTERNATIONAL FILING DATE<br>04 Jun 02 (04.06.02)       |  | PRIORITY DATE CLAIMED<br>21 Jun 01 (21.06.01)   |  |
| TITLE OF INVENTION<br>METHOD AND DEVICE FOR OBTAINING FATTY ACID ESTERS FROM NATIVE OILS AND FATS BY MEANS OF THE ENZYMATIC SEPARATION THEREOF   |  |   |  |   |  |
| APPLICANT(S) FOR DO/EO/US<br>BRUNNER, Karlheinz; FRISCHE, Rainer; RICKER, Rainer; KASKE, Corinna; KILIAN, Dirk   |  |   |  |   |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |  |   |  |   |  |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> |  |   |  |   |  |
| Items 11 to 20 below concern document(s) or information included:  |  |   |  |   |  |
| <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</li> <li>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: English Language Translation of the PCT Drawings (1/3-3/3); Copy of Form PCT/IB/308, Notice Informing Applicant of Communication of International Application to Designated Offices; English Language Translation of PCT Request, Form PCT/RO/101, and Declaration of Inventorship;</li> </ol>  |  |   |  |   |  |

|  |              |   |  |
|--|--------------|---|--|
| U.S. APPLICATION NO. (if known) <b>10/531658</b><br>INTERNATIONAL APPLICATION NO.<br><b>PCT/EP02/06077</b>   |              | ATTORNEY'S DOCKET NUMBER<br><b>460868.00020</b> |  |
| 21. <input checked="" type="checkbox"/> The following fees are submitted:<br><b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b><br>Neither international preliminary examination fee (37 CFR 1.482)<br>nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO<br>and International Search Report not prepared by the EPO or JPO ..... <b>\$1080.00</b><br><br>International preliminary examination fee (37 CFR 1.482) not paid to<br>USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$920.00</b><br><br>International preliminary examination fee (37 CFR 1.482) not paid to USPTO<br>but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$770.00</b><br><br>International preliminary examination fee (37 CFR 1.482) paid to USPTO<br>but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$730.00</b><br><br>International preliminary examination fee (37 CFR 1.482) paid to USPTO<br>and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b><br><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> |              | <b>CALCULATIONS PTO USE ONLY</b>                |  |
| Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30<br>months from the earliest claimed priority date (37 CFR 1.492(e)).  |              | \$ 920.00                                       |  |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA                                    | RATE   |
| Total claims   | 20 - 20 =    | 0   | x \$18.00  |
| Independent claims   | 4 - 3 =      | 1   | x \$86.00  |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) 0  |              |   | + \$290.00   |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |              |   | \$ 1006.00   |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above<br>are reduced by 1/2.  |              |   | +  |
| <b>SUBTOTAL =</b>  |              |   | \$ 1006.00   |
| Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30<br>months from the earliest claimed priority date (37 CFR 1.492(f)).   |              |   | \$   |
| <b>TOTAL NATIONAL FEE =</b>  |              |   | \$ 1006.00   |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be<br>accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +   |              |   | \$   |
| <b>TOTAL FEES ENCLOSED =</b>   |              |   | \$ 1006.00   |
|  |              |   | Amount to be refunded: \$  |
|  |              |   | charged: \$  |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.<br>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>17-0055</u> in the amount of \$ <u>1006.00</u> to cover the above fees.<br>A duplicate copy of this sheet is enclosed.<br>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any<br>overpayment to Deposit Account No. <u>17-0055</u> . A duplicate copy of this sheet is enclosed.<br>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card</b><br><b>information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.   |              |   |  |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR<br>1.137 (a) or (b)) must be filed and granted to restore the application to pending status.  |              |   |  |
| SEND ALL CORRESPONDENCE TO:<br>QUARLES & BRADY LLP<br>411 E. Wisconsin Avenue<br>Milwaukee, WI 53202<br>(414) 277-5000<br>(414) 271/3552/FAX   |              |   |  |
|  |              |   | <br>SIGNATURE<br>Daniel G. Radler<br>NAME<br>43,028<br>REGISTRATION NUMBER |



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10/531658

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
AS THE RECEIVING OFFICE

Applicant: BRUNNER, Karlheinz; FRISCHE, Rainer; RICKER, Rainer;  
KASKE, Corinna; KILIAN, Dirk  
Serial No.: Unknown  
Filed: 18 December 2003  
For: METHOD AND DEVICE FOR OBTAINING FATTY ACID ESTERS FROM  
NATIVE OILS AND FATS BY MEANS OF THE ENZYMATIC SEPARATION  
THEREOF  
Docket No.: 460868.00020

PETITION FOR FILING DATE

Commissioner For Patents  
MAILSTOP PCT  
ATTN: LEGAL ADMINISTRATION  
Alexandria, VA 22313-1450

Dear Sir:


Pursuant to Rule 1.10(e) Applicant hereby petitions that the above application be awarded a filing date of December 18, 2003, and be provided with an official U.S. patent application serial number. Applicant notes that the enclosed papers are true and correct copies of a U.S. national phase patent application filed by the undersigned on December 18, 2003, by Express Mail. Also enclosed are true and correct copies of the Shipment History and Express Mail label confirming U.S. Mail receipt of the filing on that date.

Applicant has not received either a date-stamped return post card, or an official Notification of the Patent Application Serial Number and sufficient time has now lapsed since the filing date. Thus, Applicant is assuming that the USPTO as the Receiving Office never received the filing.

If it has not received the application, Applicant would appreciate the USPTO as the Receiving Office considering the enclosed materials as constituting a filing as of 18 December 2003, and receiving the official filing receipt as soon as possible.

While no fee is believed necessary for consideration of this petition, should one be required, please charge Deposit Account 17-0055 for the amount of the fee. Should the USPTO as the Receiving Office have any questions regarding this matter, please call the undersigned.

Respectfully submitted,



Dated: April 15, 2005

By:

Daniel G. Radler, Agent for  
Applicant, Reg. No. 43,028  
Quarles & Brady LLP  
411 East Wisconsin Avenue  
Milwaukee, Wisconsin 53202  
(414) 277-5749  
(414) 271-3552/fax

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The following documents have been received:  
Transmittal Letter to the U.S. Designated/Elected Office (2 Sheets); English Translation of the International Appln.; English Translation of the PCT Drawings (1/3-3/3); Copy of Form PCT/IB/308; Notice Informing Application of Communication of International Appln. to Designated Offices; English Language Translation of PCT Request; Form PCT/RO/101; Declaration of Inventorship; Information Disclosure Statement and Form 1449; Copies of Prior Art Cited; A First Preliminary Amendment; and Express Mail

**Applicant :** Karlheinz Brunner, et al.  
**Serial No. :** EP02/06077  
**Patent No. :** N/A  
**Title:** Method And Device For Obtaining Fatty Acid Esters From Native Oils And Fats By Means Of The Enzymatic Separation Thereof  
**Date:** 12/18/2003  
**Our File:** 460868.00020  
**Attorney:** DR2  
**Secretary:** md2

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